

PHASE 2, PRIME FOUR BUSINESS PARK

HOTEL, ASSOCIATED LEISURE AND
CONFERENCE FACILITIES AND
ASSOCIATED INFRASTRUCTURE

For: De Vere Village Hotels & Leisure Ltd
Drum Kingswells Business Park Ltd

Application Type : Detailed Planning
Permission

Application Ref. : P121759

Application Date: 13/12/2012

Officer: Tommy Hart

Ward : Kingswells/Sheddocksley (L
Ironsides/S Delaney/D Cameron)

Advert : Section 34 -Proj. Pub.
Concern

Advertised on : 09/01/2013

Committee Date : 21/03/2013

Community Council : Comments



RECOMMENDATION: Willingness to approve, subject to conditions, but to withhold the issue of the consent document until the applicant has entered into a legal agreement with the Council to secure and pay the necessary Strategic Transport Fund and developer contributions towards environmental and access improvements

DESCRIPTION

The application site covers an area of approximately 1.65 hectares and is within Phase 2 of the Prime Four business park which lies around four miles to the west of Aberdeen city centre and around two miles to the east of Westhill. The settlement of Kingswells lies to the east, on the opposite side of the C89 Kingswells Bypass.

The site area is currently used for agricultural grazing and is generally level at this point. It is irregular in shape, and is broadly bounded as follows: to the north by greenfield land towards the Kingswells Consumption Dyke, a Scheduled Ancient Monument and Category B Listed Building; to the east by the C89 Kingswells Bypass, with Kingswells village beyond; to the south by Phase 1 of the Prime Four site and existing properties / businesses such as Kingswells House, Ardene House and Home Farm; and, to the west by greenfield land towards the West Hatton Woods, and greenfield land also proposed for future development as part of the Prime Four site.

Work is underway in respect to Phase 1 of the business park with plots 1 - 4 currently at varying stages of construction.

HISTORY

A number of planning applications have been submitted in respect to the wider 'Prime Four' business park, with specific reference to Phase 1 to the south of the application site.

Planning ref 120649 for Planning Permission in Principle was granted under delegated powers in November 2012 subject to a number of Conditions and a legal agreement.

Planning ref 121756 for Approval of Matters Specified in Conditions relating to internal roads for Phase 2 and 3 is still undetermined.

Planning ref 121757 for Approval of Matters Specified in Conditions relating to plot 6 (Phase 2) is still undetermined.

Planning ref 121758 for Approval of Matters Specified in Conditions relating to the landscaping of the 'Four Court' is still undetermined.

Planning ref 130016 for Approval of Matters Specified in Conditions relating to the strategic landscaping of Phase 2 and 3 is still undetermined.

PROPOSAL

This application seeks full planning permission for the erection of a hotel with associated leisure and conference facilities, and associated infrastructure.

Siting, Design and materials

The hotel would be situated to the western edge of the application site, around 140m to the west of the C89 Kingswells bypass and immediately adjacent to the proposed 'Four Court'. The 'Four Court' would be a multi-function amenities hub, designed as a focal point for the business park to provide a sense of community,

interaction and a buzzing social area. The footprint of the building would be around 130m x 100m (2835sqm) and would be rectangular in shape with a north/south aspect. To the northern and eastern elevations of the hotel, the height would be restricted to ground and first floor accommodation. Above first floor level, the building is designed as an L-shape with five storeys of accommodation on this western elevation with roof mounted plant above (total height of 19m including a 2m parapet wall) and four storeys of accommodation on the southern elevation (16m in height). The building would be predominantly glazed and would be very dark in colour.

In terms of external finishing materials, these can be summarised as follows;

- Cladding: black polished granite tiles and charcoal grey aluminium rainscreen cladding;
- Curtain Walling: 'arctic blue' tinted glass with anthracite grey coloured aluminium frames;
- Louvres and screens: anthracite grey coloured aluminium;
- Copings, fascias & columns: black polished granite tiles and charcoal grey aluminium rainscreen cladding;
- Soffits: black polished granite tiles;
- Doors: all doors to match colour of adjacent material;
- Flat roof areas: single ply membrane to rear low-level leisure roofs and liquid plastic with ballast finish applied over insulation to plant areas over bedroom blocks – dark grey and black in colour.

Hotel Facilities

- Ground floor; feeding off the main entrance lobby and reception to the east would be the leisure facilities (swimming pool, sauna, steam room and changing rooms) as well as the health and beauty suite. There would be a 'Starbucks' coffee outlet within the lounge area facing towards the 'Four Court' to the west. Along the western elevation of the ground floor there is proposed to be a further 3 food and beverage units as well as the hotel bar/restaurant and show-kitchen. There would be further kitchen facilities in the north east corner of the ground floor adjacent to the function and meeting facilities which run along the eastern elevation facing towards the car park. There would also be stairs and lifts allowing access to the upper floors;
- First floor; there would be a bank of bedrooms (28no) along the western elevation, some staff offices and plant at the south elevation, leisure facilities at the eastern elevation and further staff and conference facilities towards the north end of the floor;
- Second and third floors; a total of 92 bedrooms over the two floors on the west and south elevations of the floors only;
- Fourth floor; plant on roof of the south wing with 28 bedrooms on the west elevation;
- Roof level; plant above the bedrooms on the west elevation.

Access, Parking and other infrastructure

Vehicular access to the site would be taken from the main north/south boulevard which runs through Phase 1 and is accessed from the A944. There is an emergency access/exit proposed to the east, joining onto the C89 Kingswells Bypass immediately to the north of the Park & Ride. Pedestrian access to the

hotel would be gained both from the boulevard to the south and also pedestrian links which are proposed through separate planning applications for the rest of Phases 1, 2, 3 and 4 of the business park.

Part of the application site takes account of the northmost end of the boulevard and the junction improvements proposed there.

In terms of car parking, immediately in front of the hotel entrance on the south elevation, there would be 11no disabled parking spaces with a 6m wide access road. Ten uncovered short-stay cycle spaces would be provided at the hotel entrance also. To the east of the disabled spaces, there would be a coach and taxi turning point, as well as coach and taxi bay. To the east of the hotel, there would be car parking provided for around 200 cars. Immediately adjacent to the east elevation of the hotel, there is proposed to be 2no electric car charging bays and 12no motorcycle parking bays. To the rear (north) of the hotel, there would be a service access and lay-by proposed, as well as more car parking (around 44no spaces), a covered cycle compound and bin storage facility. In the far north east of the application site, there would be an access provided towards plot 8 to the north, as well as a combined switch room and sub-station.

The cycle compound would be around 6m x 7m x 3m high (flat roof), to be constructed of concrete blocks and finished externally with aluminium cladding to match the main hotel building. There would be a 2.8m wide aluminium louvred access door on the south elevation. Ten cycle stands would be provided to allow cycles to be stored on a more long-term basis.

The bin store would be around 5m x 5m x 3m high (flat roof), to be constructed of concrete blocks and finished externally with aluminium cladding to match the main hotel building. There would be a 1m wide aluminium louvred access door on the southern elevation.

Landscaping

A 4m wide soft landscaping strip is proposed along the eastern boundary of the application site, adjacent to the C89. A 600mm high stone-filled gambion retaining wall would be constructed to the immediate east of the car park. Immediately north of the emergency access there would be an area of landscaping proposed to make up an informal parkland. Between the car parking bays on the north/south axis, a 2m wide strip of plants and trees is proposed. Low-level shrubs are also proposed sporadically throughout the site. The soft landscaping proposed would be a mixture of species of varying sizes and spacings.

There is a large amount of hard landscaping proposed throughout the application site with the car park being laid mainly with porous pavements and tarmac. Immediately adjacent to the hotel, there would be pavements provided for pedestrian access and for sitting out purposes.

Supporting documents

All drawings and the supporting documents listed below relating to this application can be viewed on the Council's website at - <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref= 121759>

On accepting the disclaimer enter the application reference quoted on the first page of this report.

Statement of conformity of Phase 2 and 3 Masterplan;
Prime Four business park Phase 2 construction methodology document;
McAlpine Management System Project Environmental Plan;
Pre-Application Consultation (PAC) Report;
Revised Transport Assessment (February 2012);
Transport Statement (February 2013);
Bird Management Plan;
External Materials;
Landscape Proposals;
Low Carbon Development Statement & LZC report;
Masterplan Reports for Phases 2 and 3;
Design & Access Statement;
Ecological Survey Report;
Phases 2 & 3 Evaluation Data Structure Report;
Town Planning Statement;
Drainage Assessment – Phase 2;
Drainage Assessment – Plot 5 Hotel Site;
Flood Risk Assessment;
Geotechnical Interpretative Report.

PRE-APPLICATION CONSULTATION

The proposed development was the subject to pre-application consultation in February 2012 between the applicant and the local community as part of the consultation for Phase 2 & 3 of the Prime Four site, as required for applications falling within the category of major developments defined in the 'Hierarchy of Development' Regulations. The consultation involved separate meetings with Kingswells Community Council as well as a public event and engagement through the Prime Four website. The comments received during the consultation relating to the hotel centred around ensuring the uses focused on leisure facilities as well as restaurant/bar; that these uses should not be focused solely on the needs of the business park but should benefit the residents of Kingswells; and that the uses should support the existing uses within Kingswells. The support for leisure facilities within the 'Hub' area was considered and taken into account. The De Vere Village concept is a mixed-use hotel and leisure facility delivering the types of uses suggested for both hotel guests and the general public. The bar/restaurant/coffee shop uses on the western side of the building, facing the 'Four Court' allow for a more inclusive proposal in line with public aspirations.

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because the application was advertised under Schedule 3 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 as a licensed premises. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Project Team – The Transport Statement showed the development could be accommodated through the mitigation requirements identified as part of Phase 1; the development would be within 400m of the Park & Ride; the servicing proposals are acceptable; the car parking provision is acceptable and confirmed the strategic transport fund contribution. With regards to walking and cycling, no details have yet be submitted to show a shared pedestrian/cycle track between the emergency access and the C89 Kingswood drive signalised junction with the Park & Ride and a condition is requested to ensure this is in place prior to occupation. In relation to the cycle storage facility, this should be secure and no details have been provided in that respect. The same is said about the motobike parking facility. Lastly, with respect to the adjacent Park & Ride, the potential for rat-running through the site and use of the parking area by visitors needs to be avoided via a monitoring scheme. This monitoring should take the form of permanent traffic counters placed at both entrances to the Park & Ride car park, 3 months prior to the first occupation of the site and 3 parking surveys, undertaken at key stages (to be agreed) in the Phase 2 & 3 development. Plus a journey time survey of Park and Ride traffic following full phase occupation or on request.

Environmental Health – given the removal of the compactor from the plans, there is no comment to make. The details related to the bin storage and dust supression and road mess mud prevention are acceptable and no conditions are required in this respect. There are no objections to the application but conditions are requested to deal with; prevention of dust and mud, hours of construction and deliveries/collection/disposal and extraction/ventilation from kitchen.

Developer Contributions Team – the impact of the application is such that a monetary contribution is required towards environmental and access improvements and there are a number of opportunities in close vicinity to the application site to utilise this contribution. It has also been confirmed that the development would require to make a financial contribution in respect to the Strategic Transport Fund.

Enterprise, Planning & infrastructure (Flooding) – after receiving additional information in relation to drainage, there are no objections to the application.

Scottish Environment Protection Agency – following the submission of additional information with regards to drainage, there are no objections. In order to ensure that adequate sustainable urban drainage systems (SUDS) are in place in respect to construction phase of the development a condition has been requested for a construction method statement. Space should also be provided on-site.

Community Council – Kingswells Community Council object to the application. Their letter of objection raises the following matters;

1. the height of the hotel is excessive at this location at the brow of the hill and should not be used as a precedent for future applications
2. there will be an unacceptable visual impact on the surrounding area
3. the materials are not acceptable in the location adjacent to the countryside
4. concerns raised about the potential impact on the nearby historic consumption dyke which is B-Listed
5. The application goes against the general principles of many Council documents, namely; Prime Four phase 2/3 Masterplan; OP40 Kingswells Masterplan and Aberdeen Local Development Plan (ALDP) policies D1 and D6.

Other objections are raised in relation to the size of the buildings on plot 6 and 7 but as these do not form part of this planning application the comments raised are not material.

Aberdeen International Airport – in respect to the information provided about the proposed lighting scheme for the planning application, there are no objections. The height of the building makes a small infringement on the conical flight safety surface for Aberdeen International Airport (AIA) but there are no objections in this respect. With respect to landscaping, the additional information submitted have been evaluated and it is considered that this will not attract significant additional hazardous birds into the environs around the airport. A Bird Hazard Management Plan should be submitted for further consultation and approval of AIA and again this can be covered by a planning condition.

NATS (En Route) – no safeguarding objections to the proposal.

Grampian Police Architectural Liaison Officer – the following is a summary of the comments received; the site layout is good from a Crime Prevention Through Environmental Design point of view; the car park to the east is afforded good levels of natural surveillance but the car park to the north should ideally be supplemented by CCTV given the lack of natural surveillance; measures should be put in place to ensure that the emergency access is used for that purpose only; cycle storage facilities should be located as close to the main entrance as possible for maximum natural surveillance; footpaths should be wide and well lit to promote feelings of safety and security and discourage anti-social behaviour; landscaping should be regularly maintained so as not to become overgrown; lighting should be uniform in terms of spread to avoid dark spots.

North East Biological Records Centre – information provided shows that the development would not have any significant impact on any existing fauna or flora within the immediate area.

REPRESENTATIONS

Two letters of objection have been received in addition to the objection from the Community Council. The objections raised relate to the following matters;

1. The development will result in increased use of the cycle path which will heighten safety concerns given that the current path is not 'fit for purpose' and will not support more sustainable travel choices.
2. The height of the building is out of character with the area and height of other buildings too, especially given its location at the brow of the hill.

Two letters of support have been received from companies who will be occupying units within Phase 1 of the Prime Four Business Park.

PLANNING POLICY

National Policy and Guidance

Scottish Planning Policy (SPP) is the statement of Government policy on land use planning and includes the Government's core principles for the operation of the planning system and concise subject planning policies. The general policy on economic development is a relevant material consideration.

Aberdeen City and Shire Structure Plan

The Structure Plan sets out the following key objectives for the growth of the City and Aberdeenshire.

Economic Growth: to provide opportunities which encourage economic development and create new employment in a range of areas that are both appropriate for and attractive to the needs of different industries, while at the same time improving the essential strategic infrastructure necessary to allow the economy to grow over the long term.

Sustainable mixed communities: to make sure that new development meets the needs of the whole community, both now and in the future and makes the area a more attractive place for residents and businesses to move to.

Accessibility: to make sure that all new developments contribute towards reducing the need to travel and encourage people to walk, cycle or use public transport by making these attractive choices.

Aberdeen Local Development Plan

Policy LR1 - Land Release Policy

The principle of development on greenfield allocations will be assessed against the land release policy in relation to the phases.

Policy I1 - Infrastructure Delivery and Developer Contributions

Development must be accompanied by the infrastructure, services and facilities required to support the scale and type of development proposed. Where development will place additional demands on community facilities or infrastructure, the Council will require the developer to meet or contribute to the cost of providing or improving such infrastructure or facilities.

Policy D1 - Architecture and Placemaking

To ensure high standards of design, with new development designed with due consideration to its context and make a positive contribution to its setting.

Policy R7 – Low and Zero Carbon Buildings

All new buildings must install low and zero-carbon generating technology to reduce the predicted carbon dioxide emissions by at least 30% below 2007 building standards.

Supplementary Guidance

A Development Framework establishing the principles for developing the overall business park and Masterplan for Phase 1 as well as a Masterplan for Phases 2 and 3 were adopted as Supplementary Guidance in January 2013 and these are relevant material considerations. In addition, the Council's supplementary guidance "Infrastructure and Developers Contributions Manual" and "Low and Zero Carbon Buildings" are also relevant considerations in the assessment of the application.

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) require that where, in making any determination under the planning acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise

Legal Challenge

Tesco Stores Ltd has submitted an appeal to the Supreme Court against the decision of the Inner House of the Court of Session to refuse its application to quash the Aberdeen Local Development Plan. Tesco has been unsuccessful regarding both an interim suspension and a full appeal in front of three judges in the Inner House and the Council has received robust advice from Counsel that the reasoning of the Inner House is sound and there are strong grounds to resist the appeal.

Planning applications continue to be determined in line with the Aberdeen Local Development Plan but the appeal is a material consideration and the Council has to take into account the basis for the legal challenge when determining applications. It should also be pointed out that the Court indicated that, even if Tesco's arguments had found favour, it would have been inclined to quash the plan only in so far as it related to Issue 64 (Allocated Sites: Woodend...Summerhill... etc.) and that it would be disproportionate to quash the whole plan.

This evaluation has had regard to and taken into account the legal challenge. None of the policies or material considerations which apply to this application would be affected by the terms of Tesco's challenge. The recommendation would be the same if the application were to be considered in terms of the 2008 Aberdeen Local Plan.

Principle of Hotel

In terms of the Aberdeen Local Development Plan Policy LR1, the site falls within Phase 1 of the table contained within the Policy and therefore the broad principle of employment development has been established.

Sustainable economic growth

In terms of contributing to sustainable economic growth, the hotel development would create new employment opportunities for the Kingswells area which would add to the current mix within the settlement and also diversify from what would be on offer in the Prime Four business park. The hotel would be occupied by De Vere and this will be their first hotel in Aberdeen. The hotel is proposed to be 4-star and this could assist in attracting prestigious occupiers to the business park. The hotel leisure facilities and food outlets would be available to the wider Kingswells area and it is considered this would have a positive impact on the area given the lack of facilities available and would have a positive impact on the economic growth of the City in general.

In this respect, the application is considered to conform to Scottish Planning Policy in respect to the general policy on economic development, as well as the Aberdeen City and Shire Structure Plan objectives for economic growth and sustainable mixed communities.

Design, Scale and form of Development

The proposed hotel would have a large footprint, would be around 20m in height, would sit on the brow of a hill and would be mainly black in colour. In design terms, the proposed hotel should be assessed in the context of the business park rather than the general form or style of architecture, or height of buildings, of the wider Kingswells area. The business park is physically detached from the residential part of Kingswells to the east by landscaping and the C89 Kingswells By-Pass. The immediate setting of the application site is the more business park nature of the Prime Four business park and the Park and Ride site. The Aberdeen Local Development Plan Policy D1 seeks for development to be designed with due consideration for its context. This is the context in which the design of the hotel must be considered.

The approved Phase 2 & 3 Masterplan has some overarching design principles (page 15) which all applications need to adhere to, namely; *buildings must be set within the landscape and be sympathetic to the rural setting* and *Buildings must be of a high quality design in order to reflect the status of Prime Four as a business park of international standard and appeal* and *Buildings must address the Hub as they would a public square, and encourage opportunities for active frontage at pedestrian level.* There would be some soft landscaping within the car park and on the periphery of the site, but the site would contain predominantly hard landscaping. The 'Hub' area, must be assessed in the context of the strategic landscaping proposed for the whole business park. It is, however, considered that the building is of a high quality in design terms. The modern design of the hotel would be in keeping with the high quality of design of the buildings granted permission and currently under construction within Phase 1 to the south of the application site and also in keeping with the high quality design proposed on plot 6 to the west. The building would be orientated so that the cafes/bar/restaurant would open out onto the pedestrian precinct (The Four Court) to the immediate west of the application site and would allow an active public frontage to be achieved in line with the requirements of the Masterplan. In terms of the site layout, there is around 110m from the eastern elevation of the

hotel to the C89. This area is predominantly car parking with some landscaping. The scale and form of development here is in keeping with what has been accepted previously on other parts of the business park.

Visual Impact of the Development

The height of the hotel has been raised by the Kingswells Community Council and one other objector as an issue given its location on the brow of the hill and that it would have an unacceptable impact on the surrounding area. Page 39 of the Phase 2 & 3 Masterplan states that with the exception of the Landmark buildings within the Hub, buildings in the Central Zone will generally be three-storey. Page 40 of the Masterplan goes further to state that within the setting of the Hub, these buildings have the potential to be higher than others within Phase 1 and 2 areas in order to reflect their prominence as focal points at the heart of the Prime Four development and that buildings which exceed three storeys must be associated with exemplary design proposals to reflect their status.

It is acknowledged that the building would be the same height of a 6-storey building. In terms of position on the brow of the hill, it is acknowledged that hotel would be considerably more prominent in this location than a 3-storey building but this would still comply with the terms of the Phase 2 & 3 masterplan which encourages greater height in the 'Hub' area to create a focal point for the business park and the wider area. A plan showing site sections indicates that, because of the proposed gradients of the land towards the south, the building would only be around 5m taller than the building on plot 3 (within Phase 1). Likewise, the hotel would only be around 5m taller than plot 6 to the west. The tallest part of building has been set to the far west of the site, around 140m to the west of the C89, so as to ensure it does not appear overly dominant when viewed from that location. On viewing the application site from the A944 as it joins the southern end of the boulevard within Phase 1, the hotel would be on a much elevated position around 10-15m above the road level of the A944. The hotel would be around 550m away from the main entrance to the business park. If the hotel was to sit in isolation, there would be an argument to say that it would have an unacceptable impact on the surrounding area. However, when viewed within the context of the other development which is under construction in Phase 1 and is proposed at plot 6 and the existing and proposed landscaping, the height of the hotel is not considered to be excessive and in that respect is not considered to have an unacceptable visual impact on the surrounding area. This would not be considered be contrary to the defining principles of the Masterplan as described above. Taking account of the information to hand and the fact that the hotel and has been designed to be a landmark building in line with the Masterplan, the height of the hotel is considered to be acceptable in this context.

When considering visual impact, the objection from Kingswells Community Council raises concerns about the proposed materials of the hotel which they consider are not acceptable in this location adjacent to the countryside. Like the height issue above, if the hotel was viewed on its own there may have been cause for concern. The materials proposed for the hotel are consistent with those approved in Phase 1 in respect to both granite and aluminium cladding with the only difference being the colour. The Phase 1 buildings are generally light grey whilst the hotel is proposed to be dark grey and black. It is also worth noting that

the standard palette of materials for the hotel has been altered to include higher-end materials, in particular granite to the frame of the building. Whilst it is acknowledged that a black finish would be more apparent in the skyline than grey, this is not considered to unacceptable in this context. The wider business park is undergoing major development with the character of the area changing from rural farmland to commercial in nature. In that respect, the use of dark coloured aluminium and granite cladding is acceptable.

Impact on Trees

Given that there are no trees present on the application site, there would be no impact in that respect. Likewise, given the distance (around 500m) to the ancient woodland to the west, there would not be any impact on these trees.

Traffic Impacts, Access Arrangements and Car Parking

Vehicular access to the site would be taken from the main north/south boulevard which runs through Phase 1 and is accessed from the A944. There is an emergency access/exit proposed to the east, joining onto the C89 immediately to the north of the Park and Ride site. Pedestrian access to the hotel would be gained both from the boulevard to the south and also pedestrian links which are proposed through separate planning applications for the rest of Phase 2, 3 and 4 of the business park.

The Transport Statement provided shows that the hotel development could be accommodated by the proposed access junction and external road network mitigation measures in addition to what was identified for Phase One.

In terms of car parking, immediately in front of the hotel entrance on the south elevation, there would be 11no disabled parking spaces with a 6m wide access road. Ten uncovered short-stay cycle spaces are to be provided at the hotel entrance also. To the east of the disabled spaces, there would be a coach and taxi turning point, as well as coach and taxi bay. To the east of the hotel, there would be car parking provided for 200 cars. Immediately adjacent to the east elevation of the hotel, there is proposed to be 2no electric car charging bays and 12no motorcycle parking bays. To the rear (north) of the hotel, parking for 40no cars and a covered cycle store facility is to be provided

The site is to the immediate north of the Kingswells Park & Ride. The plans for the hotel show a proposed footpath link between the two sites. Further, around half way down the boulevard (to the immediate east of plot 2), there is a pedestrian and vehicular link to the Park and Ride site which would help to encourage the use of more sustainable modes of transport.

In terms of the objection raised regarding the cycle path, it is acknowledged that the current path is only around 1m wide adjacent to the 50mph A944 and this is not adequate. It is fair to say that there may be an increase in users of the cycle path as a direct result of the hotel development however it is difficult to see how the hotel application alone would lead to a marked increase in the use of the current cycle path. As part of the overall development of the Prime Four site, some works are proposed to widen a section of the cycle path however this is not directly related to this planning application. It is worth noting that the hotel site would help to facilitate cycle routes through the wider Prime Four site.

Taking account of the above information, it is considered that the proposed hotel development would be acceptable in relation to the Aberdeen City and Shire Structure Plan key objective on accessibility.

Impact on Residential Character and Amenity

The nearest residential dwelling is around 200m to the east of the proposed hotel. When viewing the application site from the residential properties within Huxterstone Terrace and Drive specifically, the proposed hotel would not have any negative impact on the residential character or amenity of that area. Along the western edge of the residential area, there is a wide row of mature trees which act as a visual buffer along the C89. These trees are around 12m in height and when in full foliage, act as a visual aid to protect residential amenity within the rear gardens of the properties along this western edge of Kingswells. The likelihood is that there would be little scope for viewing the hotel from the residential area of Kingswells and in that respect there is not considered to be any negative impact on the existing residential character or amenity afforded.

Landscaping

The landscape plans for the site have been amended in order to retain the north/south axis afforded by the current field boundaries, which concurs with the aspirations of the Masterplan for Phases 2 & 3. The landscaping provision proposed along the eastern edge of the site would help to reduce the visual impact of the large area of car parking on this eastern side of the application site.

Relationship with Consumption Dyke

An objection was received from Kingswells Community Council with respect to the potential impact on the nearby historic Consumption Dyke which is B-Listed. Historic Scotland were consulted through the Planning Permission in Principle for Phase 2 and 3. And although they did not object to the proposal, they did express some concerns about the spatial relationship between the wider business park development and the setting of the Consumption Dyke to the north, which is a Scheduled Ancient Monument. These concerns, however, relate more closely to the northern part of the overall opportunity site area, rather than the hotel site itself. It is also a material consideration that the Scottish Government Reporters, in their decision letter relating to the ALDP, stated that to the north, the overall development site would be contained within the line of the large 'Consumption' Dyke and both it and its immediate setting should be safeguarded. This can be secured through the green space network designation which runs along either side of it. The extent of the green space network shown on the ALDP proposals map is indicative, and its precise extent will be confirmed through the subsequent master planning process. The connecting dykes extend southwards over a ridge. This should enable sufficient separation from the new built development to be secured so that the original agricultural function and setting of the dyke can be appreciated.

It is not considered that this is a particular issue affecting the hotel application site given that it lies around 250m to the south of the Consumption Dyke but in any case the approved Development Framework and Masterplan has taken account of the Consumption Dyke and will ensure that its setting is maintained.

Carbon reductions

Information has been provided that shows the hotel would have an air source heat pump installed. The result of installing this technology would mean a 35% reduction in the carbon emissions when compared to the 2007 building standards. In this respect, there is no conflict with the Aberdeen Local Development Plan Policy R7 or the Supplementary Guidance on Low and Zero Carbon Buildings.

Relevant Planning matters raised by the Community Council

The points raised in objection by the Community Council have been dealt with above in the sections on design, scale and form of the development; visual impact of the development and relationship with the consumption dyke.

Relevant Planning Matters Raised in Written Representations

The points raised in objection in the written representations have been dealt with above in the sections on design, scale and form of the development and traffic impacts, access arrangements and car parking.

Proposed Legal Agreement for Developer Contributions

A legal agreement is required in order to secure the necessary payment towards environmental and access improvements and the Sustainable Transport Fund (STF). It is also required in order to ensure that the Travel Plan Framework agreed for the wider Phase 2 & 3 area is amended to take account of this development. A legal agreement is currently in place for Phase 2 & 3. However, as this is a stand alone application, there is a separate need to deal with this. There is a requirement to either update the existing legal agreement or enter into a new legal agreement specifically for the hotel application. Either way, a legal agreement must be signed prior to the planning consent being issued. The requirements of the legal agreement would ensure the development would comply with Aberdeen Local Development Plan Policy I1 and the Infrastructure and Developers Contributions Manual Supplementary Guidance.

RECOMMENDATION

Willingness to approve, subject to conditions, but to withhold the issue of the consent document until the applicant has entered into a legal agreement with the Council to secure and pay the necessary Strategic Transport Fund and developer contributions towards environmental and access improvements

REASONS FOR RECOMMENDATION

The principle of development on the site has already been established through the approval of the Planning Permission in Principle for Phase 2 & 3 of the Prime Four business park and in that respect there is no conflict with Aberdeen Local Development Plan Policy LR1.

In terms of design, height and use of materials, the application is considered to conform to Policy D1 of the Aberdeen Local Development Plan and the defining principles of the overall Development Framework and Masterplan for Phases 2 and 3 of the Prime Four business park. Although the hotel would be the

equivalent of 6-storeys in height, it is considered that the high quality of design and materials proposed would fit in well into the setting of the business park when taking account of the other development which is underway and proposed. The proposed materials are an improvement on the standard palette of materials of the operator and as such there is considered to be an improvement in visual terms.

It is also considered that the application complies with Scottish Planning Policy and Aberdeen City and Shire Structure Plan in relation to economic development and sustainable economic growth given that a number of jobs would be created and it would add to the current mix within the settlement and also diversify from what would be on offer in the Prime Four business park area. This proposal will result in a high quality development which will help encourage further inward investment in the area and would provide facilities which would be of benefit to the wider Kingswells community, in line with the aspirations of Aberdeen City and Shire Structure Plan objective 'sustainable mixed communities'.

In terms of accessibility and infrastructure, the hotel site would be linked into the wider pedestrian/cycle and road network and would also be adjacent to the Park & Ride site so would be acceptable in terms of the Aberdeen City and Shire Structure Plan objective 'accessibility'. In terms of impact on the local area, contributions are required in relation to Strategic Transport Fund and also local environmental and access improvements and thus there is not considered to be any conflict with the Aberdeen Local Plan Policy I1 or the Supplementary Guidance "Infrastructure and Developers Contributions Manual".

Lastly, in relation to reducing carbon emissions, the development would contribute to National and Local aspirations to lower carbon emissions by using air source heat pumps on the hotel development, in compliance with the requirements of Aberdeen Local Development Plan Policy R7 and the Supplementary Guidance "Low and Zero Carbon Buildings".

CONDITIONS

it is recommended that approval is granted subject to the following conditions:-

(1) that the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with drawing No. A4926/P(--)-03 Rev C of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any purpose other than the parking of cars ancillary to the development and use thereby granted approval

Reason: in the interests of public safety and the free flow of traffic.

(2) that, except as the Planning Authority may otherwise agree in writing, no construction or demolition work shall take place:

(a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays;

(b) outwith the hours of 8.00 am to 4.00 pm Saturdays; or

(c) at any time on Sundays,

except (on all days) for works inaudible outwith the application site boundary.

[For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery]

Reason: in the interests of residential amenity.

(3) that the hotel shall not be occupied unless the access, junction improvements and external road network mitigation measures associated with Phases 1 and 2 have been implemented and are fully operational

Reason: to ensure that the local road network can satisfactorily accommodate the development and in the interests of road safety and the free flow of traffic.

(4) That the hotel hereby granted planning permission shall not be occupied unless the improvements to the access into the site located at the north-end of the boulevard have been implemented in accordance with the approved plans as shown on dwng no: A4926/P(--03 Rev C

Reason: in the interests of road safety

(5) That the hotel shall not be occupied unless the approved emergency access (as shown on dwng no: A4926/P(--03 Rev C and 93911/1101 Revision A), or such other emergency access as may subsequently be approved in writing by the planning authority, has been provided and is fully operational.

Reason: in the interests of public safety.

(6) That the hotel hereby granted planning permission shall not be occupied unless the cycle and motorcycle storage facilities as shown on drawing no. A4926/P(--03 Rev C and P(0)601 Rev A (or some other drawing as subsequently approved in writing by the Planning Authority), have been provided and are available for use.

Reason: in the interests of encouraging more sustainable modes of travel.

(7) That the hotel shall not be occupied unless it has been connected to the full S.U.D.S. arrangements for the wider business park as described in the Phase 2 Drainage Assessment by Fairhurst dated November 2012 (Issue 1) and the Plot 5 Drainage Assessment by Fairhurst dated November 2012 (Issue 1) (a stamped copy of which is attached to this permission), unless otherwise agreed in writing by the planning authority

Reason: to ensure that the site is properly drained and in the interests of sustainability.

(8) That the hotel shall not be occupied unless a scheme showing the proposed means of filtering, extracting and dispersing cooking fumes from the premises has been submitted to and approved in writing by the planning authority and that the said scheme has been implemented in full and is ready for operation

Reason: in order to preserve the amenity of the neighbourhood.

(9) That the hotel shall not be occupied unless any external duct work comprised in the approved scheme for filtering, extracting and dispersing cooking fumes has been finished in a colour to match the exterior of the premises or treated in accordance with such other scheme as may be submitted to and approved in writing by the planning authority

Reason: in the interests of visual amenity.

(10) that the hotel shall not be occupied unless the bird hazard management proposals contained in the Rentokil report entitled "Working with Halliday Fraser Munro to Maintain a Safe Working Environment", a stamped copy of which is appended to this planning permission, or such other amended report as may subsequently be approved in writing for the purpose by the planning authority, have been implemented and are full operational.

Reason: to ensure the safe operation of aircraft using Aberdeen Airport.

(11) That any lighting schemes required during construction and for the completed development shall be of a flat glass, full cut off design, mounted horizontally and shall ensure that there is no light spill above the horizontal

Reason: to avoid endangering the safe operation of aircraft through confusion with aeronautical ground lights or glare.

(12) that the development hereby approved shall not be brought into use until low/zero carbon equipment has been installed in full accordance with the details shown on the approved plans (Rybka Low Carbon Development Statement and LZC Report November 2012 revision 1.0 and Plan no SK001 revision IN1), or any other such plan as submitted to and approved in writing by the planning authority for the same purpose

Reason: to ensure that this development complies with requirements for reductions in carbon emissions specified in the City Council's relevant published Supplementary Guidance document, 'Low and Zero Carbon Buildings'.

(13) that the hotel shall not be occupied unless any mitigation/compensation recommendations and further survey identified in Chapter 7 of the report entitled "Ecological Survey Report – Prime Four Business Park, Kingswells, Aberdeen, Phases 2 and 3", dated 2nd May 2012 (version 2.0) by Direct Ecology (a stamped copy of which is attached to this planning permission) which relate directly to this application site, have been implemented and are fully operational, unless otherwise agreed in writing by the planning authority

Reason: In the interests of sustainability, the protection of wildlife and to preserve the ecological diversity of the site.

(14) that unless otherwise agreed in writing by the planning authority, all planting, seeding, turfing and other associated soft and hard landscape works, as well as the footpaths and cyclepaths all as comprised in approved drawing numbers

OPEN_498_PL5_H01_SE1 Rev. 01; OPEN_498_PL5_H01_SE2 Rev. 01;
OPEN_498_PL5_H01_SE3 Rev. 01; OPEN_498_PL5_H01_SE4 Rev. 01;
OPEN_498_PL5_S01_SE1 Rev. 01; OPEN_498_PL5_S01_SE2 Rev. 01;
OPEN_498_PL5_S01_SE3 Rev. 01; OPEN_498_PL5_S01_SE4 Rev. 01;

or such other drawings as may subsequently be approved in writing for the purpose by the planning authority, shall be carried out in or before the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority.

Reason - in the interests of the amenity and biodiversity of the area, the creation of new habitats and to ensure appropriate connectivity throughout the site.

(15) That no development pursuant to this planning permission shall commence unless a detailed site specific construction method statement for the site has been submitted to and approved in writing by the planning authority. The method statement must address the temporary measures proposed to deal with surface water run-off during construction and prior to the operation of the final SUDS. Such statement shall be implemented in full for the duration of works on the site

Reason: in order to prevent potential water pollution.

(16) no development shall take place unless full details are provided of the proposed combined switch room/sub-station. Such plans shall include details of materials, dimensions and any compound screening and shall thereafter be implemented in full accordance with the approved plans

Reason: in the interests of visual amenity

(17) That the hotel shall not be occupied unless details of any CCTV equipment required for any external space within the application site has been submitted to, and approved in writing by the planning authority and thereafter installed

Reason: in the interest of public safety and to reduce the likelihood of crime taking place on the site

(19) that all external lighting shall comply with the RYBKA lighting strategy as shown on drawing no (90)006 Revision IN2, or such other external lighting details as may subsequently be approved in writing for the purpose by the planning authority.

Reason: in the interests of amenity and to ensure that the development is adequately lit.

(19) that no development shall take place unless samples of all external finishing materials to the roof and walls (including glazing) of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed

Reason: in the interests of visual amenity.

Dr Margaret Bochel

Head of Planning and Sustainable Development.